

§ 143B-135.94. Definitions.

Except as otherwise required by context, the following terms when used in this Part shall be construed respectively to mean:

- (1) "Department" means the North Carolina Department of Natural and Cultural Resources.
- (2) "Political subdivision" means any county, any incorporated city or town, or other political subdivision.
- (3) "Scenic easement" means a perpetual easement in land which
 - a. Is held for the benefit of the people of North Carolina,
 - b. Is specifically enforceable by its holder or beneficiary, and
 - c. Limits or obligates the holder of the servient estate, his heirs, and assigns with respect to their use and management of land and activities conducted thereon, the object of such limitations and obligations being the maintenance or enhancement of the natural beauty of the land in question or of areas affected by it.
- (4) "Secretary" means the Secretary of Natural and Cultural Resources, except as otherwise specified in this Part.
- (5) "State trails system" means the trails system established in this Part or pursuant to the State Parks Act, Part 32 of this Article, and including all trails and trail segments, together with their rights-of-way, added by any of the procedures described in this Part or Part 32 of this Article.
- (6) "Trail" means:
 - a. Park trail. – A trail designated and managed as a unit of the North Carolina State Parks System under Part 32 of this Article.
 - b. Designated trail. – A trail designated by the Secretary pursuant to this Part as a component of the State trails system and that is managed by another governmental agency or by a corporation listed with the Secretary of State.
 - c. A State scenic trail, State recreation trail, or State connecting trail under G.S. 143B-135.96 when the intended primary use of the trail is to serve as a park trail or designated trail.
 - d. Any other trail that is open to the public and that the owner, lessee, occupant, or person otherwise in control of the land on which the trail is located allows to be used as a trail without compensation, including a trail that is not designated by the Secretary as a component of the State trails system.
- (7) "Trails Committee" means the North Carolina Trails Committee established by Part 35 of this Article. (1973, c. 670, s. 1; 1977, c. 771, s. 4; 1989, c. 727, s. 218(63); 1989 (Reg. Sess., 1990), c. 1004, s. 19(b); 1993, c. 184, s. 2; 1997-443, s. 11A.119(a); 2015-241, ss. 14.30(f), (m).)